

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

KTM AG,)	
)	Case No. 21-cv-1280
Plaintiff,)	
)	Judge Gary Feinerman
v.)	
)	
THE INDIVIDUALS, CORPORATIONS, LIMITED)	
LIABILITY COMPANIES, PARTNERSHIPS AND)	
UNINCORPORATED ASSOCIATIONS IDENTIFIED)	
ON SCHEDULE A HERETO,)	
)	
Defendants.)	

PLAINTIFF’S NOTICE OF VOLUNTARY DISMISSAL WITH LEAVE TO REINSTATE

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff KTM AG hereby dismisses without prejudice, with leave to reinstate on or before September 21, 2021, Defendants No. 31 “Isailon”, No. 75 “QINCHYE”, No. 77 “QUALINSIST”, No. 89 “SCITOO Auto” and No. 134 “TUPARTS”. In the event a motion to reinstate is not filed on or before September 21, 2021, Defendants No. 31 “Isailon”, No. 75 “QINCHYE”, No. 77 “QUALINSIST”, No. 89 “SCITOO Auto” and No. 134 “TUPARTS” shall be deemed, without further order of the Court, to be dismissed with prejudice.

In view of this dismissal, the Motion to Dismiss and Dissolve the Preliminary Injunction Order filed by Defendants No. 31 “Isailon”, No. 75 “QINCHYE”, No. 77 “QUALINSIST”, No. 89 “SCITOO Auto” and No. 134 “TUPARTS” is rendered moot. [Dkt. No. 75]. Each party shall bear its own attorney’s fees and costs.

The respective Defendants have not filed an answer to the complaint or a motion for summary judgment in this matter. Therefore, it is respectfully submitted that dismissal under Rule 41(a)(1) is appropriate.

Respectfully submitted,

Dated: July 23, 2021

By: s/Michael A. Hierl
Michael A. Hierl (Bar No. 3128021)
William B. Kalbac (Bar No. 6301771)
Hughes Socol Piers Resnick & Dym, Ltd.
Three First National Plaza
70 W. Madison Street, Suite 4000
Chicago, Illinois 60602
(312) 580-0100 Telephone
mhierl@hsplegal.com

Attorneys for Plaintiff
KTM AG

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true and correct copy of the foregoing Notice of Voluntary Dismissal with Leave to Reinstate was filed electronically with the Clerk of the Court and served on all counsel of record and interested parties via the CM/ECF system on July 23, 2021.

s/Michael A. Hierl